IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 5721 of 2005

Between:

D Balram Reddy, S/o. D. Venkata Reddy,
Komrole Mandal, Prakasham district.

..... PETITIONER

AND

1.Govt of A.P., rep. by its Prl. Secretary, School Education, at

Secretarait, Hyderabad.
2.The Commissioner & Director of School Education, A.P.,

Hyderabad.
3. The Regional joint Director of School Education, Guntur

District.
4. The District Educational Officer, Prakasham District at Ongole.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a Writ of Mandamus or any other appropriate writ or writs, order or direction, declaring the order dt. 22.2.2005 passed in O.A.No.707 of 2005 on the file of Hon'ble A.P.Administrative Tribunal, Hyderabad, in not fixing time limit for the appellate authority to dispose off the appeal and in not suspending the operation of the transfer order dt. 9.2.2005 issued by 3rd respondent in procgs. Rc.No.6507/A5/2001, till then, as illegal and arbitrary by consequently directing the 2nd respondent

appellate authority to forthwith dispose off the appeal preferred by petitioner and till them suspend the operation of the order dt. 9.2.2005 in Rc.No.6507/A5/2001 on the file of the third respondent; Award costs and pass such other or further orders as are deemed fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.N.SRIDHAR REDDY

Counsel for the Respondents: GP FOR SCHOOL EDUCATION

The Court made the following :

ORDER: (Per the Hon'ble Sri Justice G.Bikshapathy)

This Writ Petition is filed challenging the order dated 22-2-2005 in O.A.No. 707 of 2005 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad.

2. The petitioner is an applicant before the Tribunal. He filed O.A.No.707 of 2005 challenging the proceedings in Rc.No.6507 /A5/2001, dated 9-2-2005 passed by 3rd respondent, whereby, the applicant has been transferred in violation of guidelines given by the Government in G.O.Ms.No.16, dated 25-1-2005.

2. We need not consider the merits of the case. The learned counsel for the petitioner submits that in pursuance of the order of the tribunal, he filed an appeal on 23-2-2005 before the appellate Authority. Despite a specific direction given by the Tribunal to dispose of the appeal within two weeks, no orders have been passed so far by the appellate authority. Therefore, he seeks appropriate direction.

3. Having heard the learned counsel for the petitioner, we are of the view that the appeal has to be disposed of in one way or the other.

4. Accordingly, the Writ Petition is disposed of directing the 2nd respondent to dispose of the appeal within two weeks from today.

Till such time, the order of transfer stands suspended. No order as to costs.

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G.Bikshapathy,J.

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P.S.Narayana, J.

23rd March, 2005.

Note:

Copy by tomorrow

B/o

KM

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Principal Secretary, Govt of A.P., School Education, at

Secretariat, Hyderabad.
2.The Commissioner & Director of School Education, A.P.,

Hyderabad.
3. The Regional joint Director of School Education, Guntur

District.
4. The District Educational Officer, Prakasham District at Ongole.

5. 2 CCs to G.P. for School Education, High Court Buildings, Hyd. (OUT)

6. 2 CD copies

7. The Registrar, Andhra Pradesh Administrative Tribunal,

Purani Haveli, Hyderabad.

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and

THE HON'BLE MR JUSTICE P.S.NARAYANA

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23rd March, 2005.